

**REMARKS**

Claims 1, 2, 12 and 30-36 are all the claims pending in the application.

**I. Response to Claim Rejection Under 35 U.S.C. § 112**

Claims 1, 2, 12 and 30-36 are rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner asserts that the phrase "kinds of" renders the claim indefinite and that claim 1 fails to particularly and distinctly point out that the metal complexes each have at least two different ligands.

Claim 1 is amended herein to that the metal complexes each have "at least two different ligands", thereby obviating the rejection.

Accordingly, Applicants respectfully request withdrawal of the rejection.

**II. Response to Claim Rejections**

Claims 1-17, 22, 25, 29 and 30-35 are rejected under 35 U.S.C. § 102(e) as being anticipated by Sato et al (U.S. Patent No. 6,638,702).

Claims 1-17, 22, 25, 29 and 30-35 are provisionally rejected under 35 U.S.C. § 102(e) as being anticipated by copending Application No. 10/642,583 (corresponding to U.S. Patent Application Publication No. 2004/0058285) to Sato et al.

First, Applicants submit that claims 3-11, 13-17, 22, 25 and 29 were canceled in the Amendment filed on March 13, 2006 and are improperly included in the rejections. Applicants respectfully request clarification of this matter for the record.

As applied to the pending claims, Applicants respectfully traverse the rejection and submit that none of the cited references discloses, teaches or suggests all elements of the

present claims. Claim 1 is amended herein to recite that the emulsion of the present invention comprises: a) a dopant of an average electron releasing time of  $10^{-5}$  to less than  $10^{-2}$  second; and b) a dopant of an average electron releasing time of  $10^{-2}$  to 3 seconds, in a specific ratio, wherein each of the dopants a) and b) has at least two different ligands. In the cited references, the dopants in Class B have a plurality of the same ligands, and the working examples of the cited references do not disclose the combination/use of dopants which satisfies the requirement of the present claims as mentioned above. Thus, the present invention is not anticipated by either of the cited references.

Accordingly, Applicants respectfully request withdrawal of the rejections.

### III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

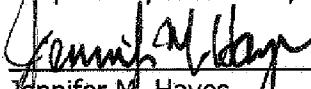
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**23373**

CUSTOMER NUMBER

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Respectfully submitted,

  
Jennifer M. Hayes  
Registration No. 40,841